

**Introduced by Senator Galgiani**February 11, 2015

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An act to amend Sections 42651, 42652, 42653, and 42654 of the Food and Agricultural Code, relating to fruit, nut, and vegetable standards.

## LEGISLATIVE COUNSEL'S DIGEST

SB 210, as introduced, Galgiani. Fruit, nut, and vegetable standards: enforcement.

Existing law requires the Director of Food and Agriculture and the commissioners of each county of the state, and their deputies and inspectors, under the supervision and control of the director, to enforce specified provisions governing the failure of food and agricultural officers to carry out orders and directions of the director, the enforcement of specified fruit, nut, and vegetable standards, and the maintenance of state inspection stations.

This bill would make nonsubstantive changes to these provisions, including changing the reference from Director of Food and Agriculture to the Secretary of Food and Agriculture.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 42651 of the Food and Agricultural Code
- 2 is amended to read:
- 3 42651. The ~~director~~ *secretary* and the commissioners of each
- 4 county of the state, *and* their deputies and inspectors, under the

1 supervision and control of the ~~director~~ *secretary* shall enforce this  
2 division.

3 SEC. 2. Section 42652 of the Food and Agricultural Code is  
4 amended to read:

5 42652. The refusal of any officer who is authorized under this  
6 division to carry out the orders and directions of the ~~director~~  
7 *secretary* in the enforcement of this division is neglect of duty;  
8 ~~provided that. However,~~ the failure of any such officer to carry out  
9 ~~such those~~ orders and directions shall not be neglect of duty if  
10 funds necessary to carry out ~~such those~~ orders and directions are  
11 not provided.

12 SEC. 3. Section 42653 of the Food and Agricultural Code is  
13 amended to read:

14 42653. The ~~director, secretary,~~ through the chief of the branch  
15 of the department ~~which that~~ has jurisdiction over the enforcement  
16 of this division, or any deputy, inspector, or agent of the  
17 department, may enforce and make inspections of grade, standard  
18 of quality, and other provisions of any fruit, nut, or vegetable  
19 marketing program ~~which that~~ is adopted under the authority of  
20 the United States or of this state.

21 SEC. 4. Section 42654 of the Food and Agricultural Code is  
22 amended to read:

23 42654. The ~~director~~ *secretary* may maintain state inspection  
24 stations at ~~such those~~ places as he *or she* deems necessary for the  
25 purpose of enforcing the standardization provisions of this code.